(14)

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A.No.1364/2005

CORAM: Hon'ble Shri S.R. Nayak, CJ
& Hon'ble Shri Dilip Raosaheb Deshmukh, J.

APPELLANTS CLAIMANTS : 1. Nanku @ Vedmati, W/o. Krishna Rajwar, Aged about 30 years, Occupation Agriculture & Business.
: 2. Gayaprasad, son of Krishna Rajwar, Aged about 01 years, Minor through guardian mother-Appellant No.1
Both resident of village Devnagar, P.S. Surajpur, District Surguja (C.G.)

Versus

RESPONDENTS NON-APPLICANTS DRIVER : 1. Guddu @ Simon Bada, S/o Suleman Bada, Aged about 27 years, Occupation-Driver R/o. Ward No.2, Baikunthpur, District Koriya (C.G.)

OWNER : 2. Kavindra Singh, Son of K.L. Singh, Aged about 35 years, Occupation-Business, Resident of Near W.C.L. Hospital, Baikunthpur, District Koriya (C.G.)

INSURER : 3. The Branch Manager, Oriental Insurance Company Ltd. Manendragarh Road, Ambikapur, Distt. Surguja (C.G.)

Shri O.P.Yadav, Counsel for the appellant.

ORAL ORDER
(Passed on 31.1.2006)

The following oral order of the Court was passed by DILIP RAOSAHEB DESHMUKH, J.

1. The only point urged in this appeal is inadequacy of compensation awarded by the Motor Accidents Claims Tribunal (M.A.C.T.).

2. It is not disputed that appellant No.1 did not suffer any permanent disability. She had suffered fracture in the right Tibia bone of right leg and her son had sustained simple injury. No medical evidence was adduced before the M.A.C.T. The M.A.C.T. has awarded Rs.17,500/- as compensation for grievous injuries sustained by appellant No.1 and Rs.3,500/- for simple injury sustained by appellant No.2. In the absence of any medical evidence to substantiate the claim for compensation for the laid up period, we find that the award of M.A.C.T. cannot be faulted with. Consequently, the appeal is devoid of merit and is dismissed at the stage of motion hearing.

Sd/-
CHIEF JUSTICE

Sd/-
Dilip Raosaheb
Deshmukh
Judge

Anjam